

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

TERRY PAUL HYSER,

Plaintiff,

v.

CIVIL ACTION NO. 3:11-0400

WESTERN REGIONAL JAIL  
ADMINISTRATOR MIKE CLARK, et al.,

Defendants.


**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court dismiss Plaintiff's Complaint, with prejudice. Neither party has filed objections to the Magistrate Judge's findings and recommendation. A copy of the Proposed Findings and Recommendation was returned by the United States Postal Service marked "undeliverable" from the Western Regional Jail. Plaintiff has not provided the Court with a current address.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DISMISSES** Plaintiff's Complaint, with prejudice, consistent with the findings and recommendation.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: December 20, 2011

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE